

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD

NVIDIA CORPORATION,

Opposer,

v.

NVISIA, LLC,

Applicant.

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Opposition No. 151,883



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Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

03-10-2004
U.S. Patent & TMOtc/TM Mail Rcpt Dt. #22

AMENDED STIPULATED REQUEST TO MODIFY DESCRIPTION OF SERVICES

Applicant, NVISIA, LLC, by its undersigned counsel, respectfully requests that the Trademark Trial and Appeal Board permit Applicant to modify its description of services for the mark NVISIA, Serial No. 76/056,575. In support of this request, Applicant states as follows:

1. Applicant filed an application to register NVISIA for use in connection with “custom application software development for others; computer systems integration services for others” in International Class 42. The application was assigned Serial No. 76/056,575, and published in the *Official Gazette* on March 12, 2002 at TM 579. Opposer NVIDIA CORPORATION filed a Notice of Opposition on June 5, 2002.
2. On January 22, 2004, the parties reached settlement. As a condition of settlement, the parties agreed that NVISIA would modify its description of services to “custom application software development of object-oriented corporate computing solutions for others; object-oriented architecture and computer systems integration services for others.”

3. On February 18, 2004, the Trademark Trial and Appeal Board noted that the proposed amendment was unacceptable because the wording "object-oriented architecture" is an expansion of the services identified at the time of Applicant's publication.

4. As a result, the parties have agreed that NVISIA modify its description of services to "custom application software development of object-oriented corporate computing solutions for others; object-oriented computer systems integration services for others."

3. Applicant NVISIA therefore respectfully requests that the Board permit it to modify its description of services accordingly. This request is made with the consent of Counsel for Opposer.

WHEREFORE, Applicant NVISIA, LLC respectfully requests that the Board permit it to modify its description of services for its mark NVISIA, Serial No. 76/056,575, to "custom application software development of object-oriented corporate computing solutions for others; object-oriented computer systems integration services for others."

Respectfully submitted,

By: 
Attorney for Applicant,
NVISIA, LLC

Dated: March 10, 2004

Carol Anne Been
S. Roberts Carter III
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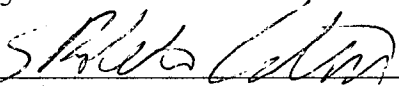
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on March 10, 2004


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March 10, 2004

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Attention: Trademark Trial and Appeal Board

Re NVIDIA CORPORATION v. NVISIA LLC,
Opposition No. 151,883
Stipulated Request to Modify Description of Services

Dear Mr. Cataldo:

Enclosed please find an Amended Stipulated Request to Modify Description of Services.

Please note the date of receipt of this submission on the enclosed postcard and return it to the undersigned.

Kindly address any communications concerning this matter to the undersigned.

Very truly yours,

SONNENSCHN NATH & ROSENTHAL LLP

By:

S. Roberts Carter III

Enclosure

cc: Britt Anderson, Esq.

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